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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,082	02/14/2001	Luc Beaudoin	00430-0003	2791

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CANADA

EXAMINER

PATEL, NIKETA I

ART UNIT	PAPER NUMBER
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2182

DATE MAILED: 08/24/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

28

Office Action Summary

Application No.

09/782,082

Applicant(s)

BEAUDOIN ET AL.

Examiner

Niketa I. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9, 14 and 18-25 is/are rejected.
- 7) ☒ Claim(s) 10-13 and 15-17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____.

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DETAILED ACTION

Claim Objections

1. Claims 10-13 and 15-17 are objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 10, 11, 15. See MPEP § 608.01(n). Accordingly, the claims 10-13 and 15-17 not been further treated on the merits.

Specification

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) The invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9, 14, 18-20 and 23-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Schettler et al. U.S.

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Patent Number: 5,872,932 (hereinafter referred to as "*Schettler*".)

5. **Referring to claims 1, 24, 25, *Schettler*** teaches a network management tool, a computer program product and a method for representing a network configuration including a plurality of distinct network segments coupled to a centralized node, the tool comprising: a) a user interface for displaying the representation of said network configuration [see *Schettler* column 6, lines 24-29, 'display 108']; b) a list containing a plurality of attributes of the network segments [see *Schettler* column 6, lines 1-11, 'data bases']; and c) a display controller for affecting a display content of said representation on said user interface, said display controller providing a reference frame for maintaining the location of selected ones of the network segments in context of said display content [Applicant's attention is called to column 6, lines 12-40 of *Besaw et al.*

U.S. Patent Number: 5,276,789 (hereinafter referred to as "*Besaw*"), which is incorporated by reference in *Schettler* patent see column 8, lines 33-36]; wherein said display controller coordinating the display of said display content in a predetermined sequence on said user interface [see *Schettler* column 6, lines 41-49, 59-67 and column 7, lines 1-4.]

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6. **Referring to claim 2**, *Schettler* teaches further comprising the reference frame of said display controller having a plurality of display indicators for indicating a predetermined number of selected network components of said representation [see *Besaw* figure 2, elements 216, 214 and figure 3, elements 304, 306, 302.]

7. **Referring to claim 3**, *Schettler* teaches wherein the display indicators provide a global context of the selected network components on said user interface [see *Besaw* figure 3, element 222.]

8. **Referring to claim 4**, *Schettler* teaches wherein said predetermined number is the total number of said selected network components contained in said network configuration [see *Schettler* column 6, lines 59-67 and column 7, lines 1-4.]

9. **Referring to claim 5**, *Schettler* teaches wherein said selected network components are coupled to distinct said centralized node and are selected from the group comprising line, ring, star, bus, and chain [see *Besaw* figure 2, elements 304, 206 and figure 3, element 222 and figure 4, element 304 and figure 5 - element 302.]

10. **Referring to claim 6**, *Schettler* teaches further comprising a reference feature of said display controller capable of

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identifying a selected network component of said representation
[see *Schettler* column 7, lines 28-48.]

11. **Referring to claim 7**, *Schettler* teaches wherein said reference feature is a unique identifier of said selected network component [see *Schettler* column 7, lines 28-48, 'object identifier'.]

12. **Referring to claim 8**, *Schettler* teaches wherein said unique identifier is also contained in said list content of said list [see *Schettler* column 7, lines 28-48, 'object identifier'.]

13. **Referring to claim 9**, *Schettler* teaches wherein said unique identifier contained in said list is operatively coupled to said unique identifier contained in said display controller [see *Schettler* column 7, lines 21-48.]

14. **Referring to claim 14**, *Schettler* teaches wherein the display indicators coordinate a number of the selected network components contained in said display content [see *Besaw* column 2, lines 51-65.]

15. **Referring to claim 18**, *Schettler* teaches further comprising a sorter for ordering said list content of the selectable attributes in a predetermined order [see *Besaw* column 2, lines 51-65.]

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16. **Referring to claim 19**, *Schettler* teaches further comprising a formatter for ordering said display content according to a predetermined format [see *Besaw* column 2, lines 51-65.]

17. **Referring to claim 20**, *Schettler* teaches wherein the predetermined format is selected from the group comprising stacked, overlaid, and isolated [see *Besaw* column 2, lines 51-65 and Abstract, 'The system will provide any of three views...'.]

18. **Referring to claim 23**, *Schettler* teaches further comprising a supplement list for communicating additional information to that contained in said list, said supplement list is associated with a selected network component contained in said display content [see *Schettler* column 6, lines 34-59, 'exploding'.]

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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20. Claims 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schettler et al. U.S. Patent Number: 5,872,932 (hereinafter referred to as "*Schettler*".)

21. **Referring to claim 21**, *Schettler* teaches a network management tool for representing a network configuration including a plurality of distinct network segments coupled to a centralized node [see *Schettler* figure 2, element 200] however does not set forth the limitation of further comprising a plurality of display indicators for modifying said display content presented by the predetermined format.

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention that it was old and well known in the computer art to get the advantage of being able to adjust display of a network topology to reflect any changes that takes place in the network. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to include a plurality of display indicators for modifying said display content presented by the predetermined format to get this advantage.

22. **Referring to claim 22**, teachings of *Schettler* as modified above teaches wherein said display indicators are operatively coupled to some of the selected attributes in said list [see *Schettler* column 7, lines 21-48.]

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Conclusion

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Arquie et al. U.S. Patent Number: 6,636,239

Rochford et al. U.S. Patent Number: 6,633,312

Jain et al. U.S. Patent Number: 6,225,999

Bass et al. U.S. Patent Number: 6,744,446

Peterson U.S. Patent Number: 5,452,468

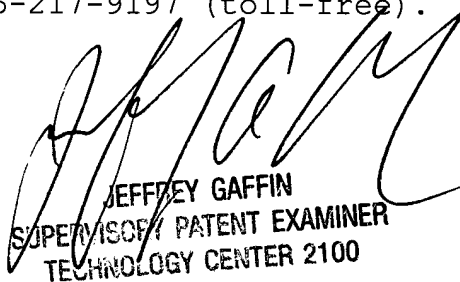
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Niketa I. Patel whose telephone number is (703) 305 4893. The examiner can normally be reached on M-F 8:00 A.M. to 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Gaffin can be reached on (703) 308 3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NP
08/07/2004



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